

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

CARMEN PURL, M.D., et al.,

*Plaintiffs,*

v.

U.S. DEPARTMENT OF HEALTH &  
HUMAN SERVICES, et al.,

*Defendants.*

No. 2:24-cv-228-Z

**DEFENDANTS' MOTION TO DISMISS OR,  
IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT**

Defendants the U.S. Department of Health & Human Services, Xavier Becerra, in his official capacity as Secretary of Health & Human Services, the Office for Civil Rights of the U.S. Department of Health & Human Services, and Melanie Fontes Rainer, in her official capacity as Director of the Office for Civil Rights of the U.S. Department of Health & Human Services, hereby move to dismiss or, in the alternative, for summary judgment. Because the Court lacks subject-matter jurisdiction over Plaintiffs' claims, this case should be dismissed. In the alternative, the Court should enter judgment for Defendants under Rule 56. Each of the matters required by Local Rule 56.3(a) is set forth in Defendants' accompanying brief. A proposed order is enclosed herein.

Dated: January 17, 2025

Respectfully submitted,

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Principal Deputy Assistant Attorney General

ERIC B. BECKENHAUER  
Assistant Branch Director

/s/ John T. Lewis

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*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 17, 2025, a copy of the foregoing was filed electronically via the Court's ECF system, which effects service upon counsel of record.

/s/ John T. Lewis  
John T. Lewis